



SEARCH

A to Z Index | En Español | Contact Us | FAQs | About OSHA

OSHA

OSHA QuickTakes Newsletter

RSS Feeds

Print This Page

Text Size

Occupational Safety & Health Administration We Can Help

What's New |
Offices

Home

Workers

Regulations

Enforcement

Data & Statistics

Training

Publications

Newsroom

Small Business

OSHA

OSHA News Release - Table of Contents

OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 3

Region 3 News Release: 11-881-PHI (osha 11-065)

June 14, 2011

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**US Labor Department's OSHA cites AL Solutions Inc.
in West Virginia after deaths of 3 workers in explosion and fire
Company added to Severe Violator Enforcement Program**

NEW CUMBERLAND, W.Va. – The U.S. Department of Labor's Occupational Safety and Health Administration has cited AL Solutions Inc. for exposing workers to workplace safety and health hazards following an explosion and fire at the company's New Cumberland facility that caused the deaths of three workers.

OSHA began an investigation in response to the incident that occurred Dec. 9, 2010. As a result, the company received citations for one willful, 16 serious and one other-than-serious violation.

"This tragedy could have been prevented," said Assistant Secretary of Labor for OSHA Dr. David Michaels. "It is imperative that employers take steps to eliminate hazards and provide a safe working environment."

The willful violation is the company's use of an unsafe water sprinkler system with flammable metals, which created an explosion hazard. A willful violation is one committed with intentional knowing or voluntary disregard for the law's requirements, or with plain indifference to worker safety and health.

Serious violations include the company's failure to provide a properly designed gas detection system for hydrogen, provide over-pressure protection, safely store flammable metals, provide safe egress, provide appropriate personal protective equipment, ensure the safe use of forklifts and provide hazard communication training. A serious violation occurs when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

The other-than-serious violation is the company's failure to maintain required record keeping by not completing OSHA Form 301, the Injury and Illness Incident Report.

AL Solutions, which operates plants in New Cumberland and Washington, Mo., manufactures titanium and zirconium alloy compacts used in the aluminum manufacturing industry. Penalties total \$154,000.

The violations place this company in OSHA's Severe Violators Enforcement Program. Initiated in June 2010, SVEP is intended to focus OSHA enforcement resources on recalcitrant employers that endanger workers by committing willful, repeat or failure-to-abate violations in one or more of the following circumstances: a fatality or catastrophe; industry operations or processes that expose workers to severe occupational hazards; employee exposure to hazards related to the potential releases of highly hazardous chemicals; and all egregious enforcement actions. For more information about the program, visit <http://www.osha.gov/dep/svep-directive.pdf>.*

The company has 15 business days from receipt of the citations to comply, ask for an informal conference with OSHA's area director or contest the citations and proposed penalties before the independent

Occupational Safety and Health Review Commission. The investigation was conducted by OSHA's Charleston Area Office; telephone 304-347-5937. To report workplace incidents, fatalities or situations posing imminent danger to workers, call the agency's toll-free hotline at 800-321-OSHA (6742).

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

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 [OSHA News Release - Table of Contents](#)

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